

Remarks

This Amendment is in response to the Office Action dated **February 11, 2004**. First of all, minor amendments to the claims have been made to improve use of "said" and "the." Claim 1 has been amended to add limitations to more clearly define the invention over the cited art. The amendments are fully supported by the specification as filed, with reference noted to Fig.4 and Fig.5.

Rejection of Claims 1, 4 and 7 §102(b) Asada

Claims 1,4 and 7 are newly rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,018,276 to Asada ('276). Though the present invention and the cited reference all have a rim type cuffing tip, the present invention has an annular rim type cutting tip having uniform rectangular-shaped cross section, whilst the cited reference has a rim type cutting tip comprised of a plurality tooth portions. Also, the present invention has two diamond layers disposed continuously along the annular rim, whilst the cited reference has two diamond layers on both side surfaces disposed non-continuously according to its toothed portions. Furthermore, the present invention has a non-diamond portion having diamond layers on both side surfaces thereof, whilst the cited reference has non-diamond portions which are coated with diamond over the remaining surfaces except the top surface(7a).

As noted above, the corresponding elements of the present invention and the cited reference distinctively differ from each other, so each and every element of the present invention isn't found in the cited reference.

In addition to the difference of elements, the effects are very different. That is, said two diamond layers according to the present invention form microscopic cutting grooves within the workpieces, whilst that of the cited reference doesn't form any grooves. Said non- diamond portion according to the present invention crushes the portion of the workpieces between the microscopic grooves into a relatively large size by a relatively small friction and a rotation impact, whilst the cited reference cannot form any protrude between the both side diamond layers. Accordingly, the reference does not anticipate the claims in the present invention and must be withdrawn. It is also submitted that the reference does not make the invention as claimed obvious. The rejection is respectfully traversed.

Non-Statutory Double Patenting Rejection

Claims 1, 4 and 7 were rejected under the doctrine of obviousness-type double patenting over claims 1-2 of US Patent 6,638,152. The present invention has a rim type, whilst the cited U.S. Patent No.6,638,152 has a segment type. Both inventions are distinctively different in their action and effect as well as their shapes. As such, they are separately patentable and would have been subject to a restriction requirement had they been in the same application. The rejection is respectfully traversed.

Miscellaneous

Finally, it is noted that Griffin et al., US Patent 3,048,160 was raised by the Examiner. The Griffin reference discloses cuffing elements wear resistant blades and has a very different construction, that is, segment type. As noted above, a rim type diamond blade has particular properties differed from a segment or saw type diamond blade. The Griffin reference doesn't teach or suggest that there may be an advantage in the present invention.

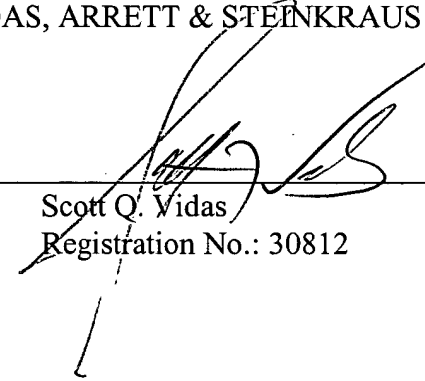
Conclusion

It is respectfully submitted that claims 1, 4 and 7, as amended, are in a condition for allowance.

Respectfully submitted,

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